



Crl.O.P.No.13122 of 2023

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A.D.JAGADISH CHANDIRA, J.

The petitioners, who apprehend arrest at the hands of the respondent police for the offences punishable under Section 324 and 506(ii) of IPC r/w Section 4 of Prohibition of Harassment of Women Act, 1998, in Crime No.257 of 2023 on the file of the respondent police, seek anticipatory bail.

2. The case of the prosecution as per the defacto complainant P.Arulmozhi is that there was a dispute between her family and the accused family in respect of managing the affairs of the temple. While so, the accused had put a lock over the lock put by the defacto complainant's family, when it was questioned by the defacto complainant's family members, the accused had assaulted her and her husband with wooden logs and pushed her, due to which, her husband sustained grievous injuries on his face and on his mouth. Hence the case.

3. The learned counsel appearing for the petitioners would



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submit that admittedly there was previous dispute between the petitioners and the defacto complainant's family in respect of administering the temple and thereby a false complaint has been given. He would further submit that the defacto complainant and her husband are the aggressors and the petitioners have also given a complaint against them before the respondent police. He would further submit that the injured has been discharged from the hospital. Hence, he prays for grant of anticipatory bail to the petitioners.

4. The learned Government Advocate (Crl.side) appearing for the respondent police submitted that on account of dispute regarding administration of the temple, the petitioners have abused the defacto complainant and her husband and assaulted them with wooden logs, due to which, her husband had sustained fracture on his face. He further submitted that the injured has been discharged from the hospital. However, he would object to grant anticipatory bail to the petitioners.

5. In reply, the learned counsel for the petitioners would submit



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that the petitioners are ready to abide by any stringent condition imposed on them.

6. Taking into consideration the facts and circumstances of the case, this Court is inclined to grant anticipatory bail to the petitioners with certain conditions.

7. Accordingly, the petitioners are ordered to be released on bail in the event of arrest or on their appearance, within a period of fifteen days from the date on which the order copy made ready, before the **learned Judicial Magistrate, Thirukazhikundram, Chengalpet District**, on condition that the petitioners shall execute bond for a sum of **Rs.25,000/- (Rupees Twenty Five Thousand only)** each with two sureties each for a like sum to the satisfaction of the respondent police or the police officer who intends to arrest or to the satisfaction of the learned Magistrate concerned, failing which, the petition for anticipatory bail shall stand dismissed and on further condition that:



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[a] the petitioners and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[b] the 1st and 4th petitioners shall stay at Trichy and report before the Palakkarai Police Station, Trichy, everyday at 10.30 a.m., for a period of four weeks and thereafter report before the respondent police everyday at 10.30 a.m until further orders. The 2nd and 3rd petitioners shall report before the Lawspet Police Station, Puducherry, everyday at 10.30 a.m until further orders.

[c] the petitioners shall not tamper with evidence or witness either during investigation or trial.

[d] the petitioners shall not abscond either during investigation or trial.

[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in **P.K.Shaji vs.**



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[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 229A IPC.

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